

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Claim 1 has been cancelled however claims 6, 8, 12 and 14 are retained and should not be withdrawn. For the reasons set forth below, generic amended claim 2 is believed to be allowable and thus dependent claims 6, 8, 12, and 14 should be likewise allowed. The Examiner's reconsideration is requested.

Claims 2-5, 7, 9-11, 13 and 15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which application regards as the invention. The issues of antecedent basis have been resolved for these claims so that no further rejection on this ground is anticipated.

Claims 2 and 3 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jones (US 3,802,996) in view of either one of Sankovich (US 3,325,463) or Leclerco et al. (US 4,788,028), or vice versa.

Claims 4, 5, 7, 9-11, 13 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been cancelled and Claim 2 has been substantially modified to specify that the tool for holding fuel assemblies is designed to simultaneously engage a positioning opening of upper end membranes of at least two different fuel assemblies in the core, and to keep said at least two fuel assemblies in related positions.

In Jones, the device for loading a fuel assembly 100' has a supporting plate 130' and positioning pins 160' which are designed to engage the positioning openings of the upper end member of a single fuel assembly of the core. Jones does not describe that device 100' is adapted to engage simultaneously the positioning openings of upper end membranes of at least two

different fuel assemblies in the core and to keep them in related positions. Jones does not teach how to use or adapt device 100' for that purpose.

Jones does not describe either a fuel realignment tool in the form of a dummy assembly.

Sankovich and Leclercq do not teach a tool for holding fuel assemblies comprising a supporting plate and positioning pins designed to simultaneously engage positioning openings of upper end members of at least two different fuel assemblies in the core, and to keep said at least two fuel assemblies in relative positions.

Said tool for holding fuel assemblies as a consequence is not disclosed by cited prior art documents thus indicating the non-obvious nature of claim 2.

The device of claim 2 allows simplifying the loading procedure of a fuel assembly at a loading position next to a fuel assembly deformed by buckling. The dummy assembly with smooth walls is first inserted into the loading location, to push the deformed fuel assembly aside. Then the position of the deformed fuel assembly is fixed with regard to another assembly using the tool for holding fuel assemblies. Finally, the dummy assembly is removed and the fuel assembly is loaded at the loading position. Said procedure is not possible with the devices of Jones, Sankovitch or Leclercq since none of these documents disclose a tool for holding fuel assemblies designed to simultaneously engage the upper end membranes of at least two different fuel assemblies in the core, and to keep said at least two fuel assemblies in relative positions.

In view of the above, consideration and allowance are, therefore, respectfully solicited.

In the event the Examiner believes an interview might serve to advance the prosecution of this application in any way, the undersigned attorney is available at the telephone number noted below.

The Director is hereby authorized to charge any fees, or credit any overpayment, associated with this communication, including any extension fees, to CBLH Deposit Account No. 22-0185, under Order No. 20513-00613-US1 from which the undersigned is authorized to draw.

Dated: January 7, 2008

Respectfully submitted,

Electronic signature: /Morris Liss/

Morris Liss

Registration No.: 24,510

CONNOLLY BOVE LODGE & HUTZ LLP

1875 Eye Street, NW

Suite 1100

Washington, DC 20006

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant